

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, May 16, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr.; G. Patrick Heffernan, Randall L. Hughes, II, Barbara B. Rutt, Terry M. Whittaker; and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education; David Blowman, Deputy Secretary of Education; Mr. Michael Watson, Chief Academic Officer, Teaching and Learning; and Dr. Susan Haberstroh, Associate Secretary, Education Supports & Innovative Practices.

Attending portions of the meeting in conjunction with agenda items: Charlie Michels, Professional Standards Board (PSB); Don Mell, Prestige Academy; Dana Davisson, Prestige Academy, Rita Vasta, Prestige Academy, Reese Robinson, and John Carwell.

Also attending: Catherine Hickey, Deputy Attorney General; Deb Stevens, Delaware State Education Association (DSEA); Martin Rayala, Delaware Design Lab High School, Cristina Alvarez, Delaware Design Lab High School; Cheri Marshall, Academy of Dover, Noel Rodriguez, Academy of Dover, Sue Francis, Delaware School Boards Association (DSBA); Cathy Oliver, ETS; Candice Brooks, YWCA Delaware, Amber Cooper, Budget Office, and Kendall Massett, Delaware Charter School Network.

Call to Order

President Gray presided over the monthly meeting and called the meeting to order at 1:00 p.m. She welcomed all guests to the State Board's monthly public meeting.

Approval of Agenda

The first order of business was approval of the agenda. Ms. Johnson stated that the agenda was amended a few days prior to the meeting and all meeting postings have noted that the agenda was amended. A motion was made by Mr. Coverdale to approve the agenda as amended. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Melendez
Mr. Coverdale		
Mr. Heffernan		
Mr. Hughes		
Mrs. Rutt		
Dr. Whittaker		

Approval of Minutes

Regular Meeting- April 18, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. Dr. Gray noted that she requested a non-substantive change to the minutes for clarification purposes. A motion was made by Mrs. Rutt to approve the minutes of the State Board regular meeting held on April 18, 2013 as amended. The motion was seconded by Mr. Hughes and carried with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote
Dr. Gray	None.	Mr. Melendez
Mr. Heffernan		
Mr. Hughes		
Mrs. Rutt		

Mr. Coverdale and Dr. Whittaker abstained as they were not present at the meeting.

State Board Retreat - April 18-19, 2013

The Board received a copy of the minutes of its spring retreat prior to the meeting. A motion was made by Mrs. Rutt to approve the minutes of the State Board Retreat held on April 18-19, 2013 Retreat as presented. The motion was seconded by Mr. Hughes and carried with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote
Dr. Gray	None.	Mr. Melendez
Mr. Heffernan		
Mr. Hughes		
Mrs. Rutt		

Mr. Coverdale and Dr. Whittaker abstained as they were not present at the Retreat.

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. President Gray announced that no individuals signed up to address the State Board.

State Board Business

Committee Reports from State Board Members

Mrs. Rutt noted that the Report for the Task Force on Gifted and Talented was available for the Board to review under the information section of the Executive Director's report. She stated that the Board could discuss the report at a later time and noted that it called for an increase in gifted and talented programs by the 2014-15 school year. There may also be changes in certification requires for gifted and talented teachers. Mrs. Rutt noted that the recommendations may be challenging but are doable.

Mr. Coverdale attended Odyssey Charter School's Science Fair and commented on the projects as well as the organization of the event.

Mr. Hughes attended the NASBE Board of Directors meeting and participated on the Public Education Positions Committee. The committee represents 45 states and will provide public education statements on education policies that will be proposed for adoption at the NASBE annual conference. Mr. Hughes stated that serving on the NASBE's Board of Directors is a new experience for him and he commented how highly regarded Delaware is around the country.

Mr. Hughes also reported on the Comprehensive School Safety Plan and Delaware will be used as a model for one of the NASBE study groups. Through the development of a web-based response system all schools will have a comprehensive safety plan. It is hoped that schools will develop working partners with other agencies. Polytech and Laurel have agreed to pilot the program. Mr. Hughes hopes to include a charter school as the pilot site in New Castle County. He expressed his dismay in that the charter schools have not expressed any interest in the program, so far.

Ms. Johnson pointed out the information that was posted for the Board members and the public on the eBoard site. She reported that the attendance sheets from the Board's workshop for local board members on the policy implications involved with Common Core State Standards Implementation showed approximately 111 in attendance, representing 13 districts, 16 charter schools or applicants and 10 stakeholder groups, some national. The complete presentation and the PowerPoint slides have been posted on eBoards.

Ms. Johnson commented on the busy legislative session and meetings she has attended for the P-20 Council and the data governance subcommittee. She also participated on the NASBE Study Group for 21st Century Learners, the Secretary's Scholars dinner and the State Chamber of Commerce Superstars of Education Dinner.

President Gray attended the Jobs for Delaware Graduates (JDG) awards luncheon. She announced that the STEM Council will release its report on May 28th and the press event will take place at Gore in Newark.

President Gray also spoke before the Education Committees in support of Senate Bill 51 which improves requirements for initial teacher licensure, certification and raises the requirements for educator preparation programs.

Research Committee Report and Proposal

Mr. Heffernan noted that the State Board's Research Committee met prior to the Board meeting and will be submitting a proposal for research that will further advance some of the Board's strategic plan initiatives. The Committee discussed what the Board could do to improve the governance of school boards and charter boards and strengthen them to benefit the students. Also discussed was adding research and study to some of the teacher prep requirements in Senate Bill 51 and add some research and expertise involving educational reading literacy strategies.

Secretary's Report, Review and Discussion

Secretary Murphy stated that he had five brief things to bring before the Board. He mentioned the celebratory event recognizing the Secretary's Scholars and noted that each Board member received a booklet which lists a bio on each scholar.

Mr. Murphy provided an update on the data sources that are now available through the Harvard Strategic Project on college going students and the data from TELL Delaware which is also for educators and teachers and focuses various school conditions.

He spoke of the changes in the Charter Office and that the Department is currently looking for new leadership for that office and the Director of the Charter Office position has been advertised. He also highlighted his visit to Providence Creek and the Delaware Military Academy and the high quality instruction he witnessed at both schools.

Secretary Murphy concluded his report with an update on the Smarter Balanced assessment pilot. The pilot offers Smarter Balanced an opportunity to review test items and see how it works prior to any stakes being attached and it provided Delaware with the opportunity to survey students on their thoughts for the new assessment. Mr. Murphy provided the Board with actual student comments.

Prestige Academy Charter School

Dana Davisson, Don Mell and Rita Vasta from Prestige Academy Charter School provided the Board with a presentation on their school's performance against their mission and impact that being a single gender school has on enabling them to meet their performance goals and expectations. The school is in its fifth year of operation and its Vision 85/30 is to have 85% of its students proficient on the DCAS math and reading and 30% of those scholars will be advanced. The Board was provided with DCAS highlights from Spring 2012 where the school

outperformed African American males in reading in Grades 5 and 7 and outperformed African American males in math in Grades 6, 7 and 8. The school's curriculum is aligned to the Common Core Standards and the Board was briefed on the various curricula and initiatives used by the school. The school spoke of how it uses the data available to guide instruction. Some of the initiatives include tutors from the Charter School of Wilmington and the Saturday Academy. Extra- curricular activities are also available including the Robotics program, the spelling bee and adding music full time year. There was discussion on the performance framework data for the school. The school noted that the performance of students this year is lower than before in a few areas and they have made adjustments. As it develops its new performance agreement the school will be looking at its mission and goals as it reflects on a gender specific school. Dr. Gray commented that the performance framework allows one to look across all schools using the same measure.

Department of Education

DOE Technology Department – Update on RTTT and Longitudinal Data Systems Initiatives and Practices

Reese Robinson presented an update on the state's longitudinal data system initiatives funded through Race to the Top. He highlighted the changes to the EdInsight Portal since last year. Delaware and Texas began with the dashboard but now many states are using a similar structure. Mr. Robinson stressed that the dashboard is sharing technology and software not data. Only educators with direct responsibility for education of a specific student have access to that student's data dashboard. Principals have school-wide access and district administrators have the appropriate district access. In the past year, SAT and PSAT data have been added for a total of 93 high school metrics. Mr. Robinson showed the Board members the types of information a teacher can view which can address growth as well as college readiness. The information is always accurate as the system is updated daily and synced from our existing eSchool system.

The Board recessed from 2:46 p.m. to 2:57 p.m.

Charter Schools

Secretary Murphy commented on the modification to the Board's agenda to remove the requests for action on the new applications. He explained that the action was removed to allow for a very thorough review of the record. Given the importance of these decisions, and with additional budget and economic viability information due by May 31st, he noted it is critical that a thorough and complete record be reviewed.

John Carwell, Director of the Charter Schools Office, presented the charter school items.

Application to Modify an Existing Charter: Academy of Dover (For Action)

Mr. Carwell stated that the Board of Directors of this school submitted an Application to modify the school's charter to add Grade 5 to the school's configuration of Grades K to Four. The school opened in 2003 and currently serves 282 students. The school's charter was renewed last

year. The Initial/Preliminary Report of the Charter School Accountability Committee recommended not approving the application pending additional information on the school's mission, goals and educational objectives and serving students with special needs. The school submitted this information at the May 7, 2013 public hearing and the information was deemed satisfactory.

The Secretary stated that after reviewing the record as is required in the charter school regulation, he is recommending to not accept the recommendation of the Charter School Accountability Committee as set in its final report. He is requesting the approval of the charter school modification and seeks the assent of the State Board with the addition of three conditions:

1. On or before May 31, 2013, the school will submit student performance goals and targets for Grade five.
2. On or before May 31, 2013, the school will submit an analysis of its student performance data and how it will be utilized to inform decisions.
3. On or before July 31, 2013, the school will submit for review units of instruction for English Language Arts, the school will identify the school contact for the Science Coalition who will coordinate professional development training for school personnel, the school will submit for review scope and sequence documents for health, the school will submit for review units of instruction for music and the school will submit for review units of instruction for art.

Dr. Gray stated that the Secretary was seeking the assent of the State Board on the application of the Academy of Dover to modify its charter to add Grade 5. She asked if there was a motion that based on the review of the record and consideration of the Secretary's approval that the Board assents to the approval of the application for a major modification, as recommended by the Secretary.

The motion was made by Dr. Whittaker and seconded by Mr. Melendez.

There was discussion on the request and how the mission, goals and education objectives of the school were not met but yet the school still wants to add the additional grade. Concern was expressed for the items due at the end of the month and why the urgency to approve adding the grade at this time if the school is not ready.

Mr. Carwell noted that the school had planned to retool its mission, goals and objectives as part of its renewal but there was no timeline as well as there no grade expectations for Grade 5 academic performance provided in the application.

Ms. Johnson asked about Appendix A that was provided at the public hearing. It appeared that the school used the final report and provided responses to those areas using clarifying statements. She asked if those responses have been evaluated and met the criteria to be considered met.

Mr. Carwell stated that the statements were reviewed and deemed that Criteria 3 and 7 were now considered met.

Mr. Heffernan questioned why approval is requested now when all the details would not be submitted until later. It was noted that some of the responses did supply the requested information.

Dr. Gray clarified that two of the items not met in the final report are now deemed met based on additional information. She also noted that the conditions ask that additional information be supplied by May 31st and today's date is May 16th which is a timing disconnect. She asked why the action is requested fifteen days before the information is due for review.

Also expressed was concern that the school that has been open for several years and one would expect that all the needed information would have been supplied. Ms. Johnson pointed out that the additional information that was requested was due in part to a different set of staff reviewing the application for modification and reviewing it at a different level. There was also discussion that should the school not meet the conditions due at the end of the month then it would be out of compliance and begin formal review. The Board asked why not wait to see if the conditions were met.

Board members asked why action was needed this month. Mr. Carwell noted that parents needed to make decisions now on where their children will attend next year. There was also discussion on the school's enrollment for the additional grade as well as the academic performance of the school. Board members stated that they trusted the experience of the Department to review the curriculum and units of instruction but noted that the July deadline was late for adding the grade in September. Mr. Carwell noted that the school has been working with the Department on its curriculum and the school would be making submissions prior to the July deadline.

The motion failed on a roll call vote as follows:

Ayes:

Dr. Gray
Mrs. Rutt

Nays:

Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Dr. Whittaker

Minor Modification – Decision on Probationary Status: Reach Academy for Girls
(For Information)

Mr. Carwell announced that the Secretary has approved the minor modification request of the Reach Board of Directors to have its probationary status removed. The charter was placed on formal review on November 10, 2010. At the July 21, 2011 State Board meeting, the charter was placed on probation with specific conditions. All of the conditions have been met.

Update on Closure Preparations for Pencader Charter School (For Information)

Mr. Carwell noted that Department staff is meeting with staff from Archives to secure the records of the students at the school as well as staff members. The Department also held a meeting with Pencader employees. The FAQ document has been revised to include information on records. Mr. Heffernan asked if the Department was keeping track of students that have not enrolled in another school. Mr. Carwell noted that 115 of the 300 students in Pencader have enrolled in another school and that the Department would follow up with the other families. May 31st is the last day of school.

Update on Status and Progress of New Moyer Academy (For Information)

Mr. Carwell noted that the Board has received an update on the Moyer deliverables and the school currently has a modification request in progress. The school has received a copy of the Preliminary Report on that modification. Mr. Heffernan thanked Mr. Carwell for the very well outlined update and for the detail it contained. The Board noted that there are still multiple items that have not been addressed. Concern was expressed for the students enrolled at the school and the students are most important and should be in the best environment. Concern was also expressed that the school is not making progress. Dr. Gray noted that the December deadlines have not been met and that means to her that the school is out of compliance. There is the issue of financial and economic viability as well as academic performance. Mr. Carwell provided an update on the services for students with special needs and the management company's role. The Board noted that the deliverables are not being met and asked the question about its compliance of its charter and its next steps. A formal review would just be an investigation into those conditions.

Ilona Kirshon, legal counsel for the State Board, noted that Moyer was not on the Board's agenda for action or formal review. Ms. Johnson clarified that the Board was expressing its concern on the deliverables and the conditions have not been met and is asking the Department to review the potential noncompliance of its charter. The Board needs to make sure that due diligence is allowed to happen. There was discussion on the criteria for formal review. Catherine Hickey, legal counsel for the Department, read the Code citation for formal review. The Board reiterated that to continue talking about this month after month does not benefit the students nor place them in an environment to be successful.

Charter Schools Update (For Information)

Mr. Carwell presented the monthly charter update. A modification request has been received from Reach Academy for Girls. The school is requesting to relocate to a different site. Another modification request was received from DAPPS which is also requesting to relocate to a different site. Both are major modifications.

Mr. Carwell commented that he enjoyed the presentation by Prestige Academy and their success and noted that any charter school in Delaware should be a place where everyone would want to send their children.

Professional Standards Board

Charles Michels, Executive Director of the Professional Standards Board, presented the PSB items on the agenda.

PRAXIS II Test Approval (For Action)

The Professional Standards Board seeks the approval of the State Board of Education for four new-to-Delaware Praxis II tests to replace existing tests that will soon be ‘retired’: The approvals will be for the specific tests, passing scores within each academic area and grade levels, and the effective dates. The following Praxis II tests are before the Board for approval:

Praxis II 5169 Middle School Mathematics

Praxis II 5161 Secondary Mathematics

Praxis II 5047 Middle School English Language Arts

Praxis II 5038 English Language Arts: Content Knowledge

A motion was made by Mr. Heffernan to approve the following 4 new-to Delaware Praxis II tests to replace existing tests that will soon be retired. The approvals will be for the specific tests, passing scores within each academic area and grade levels, and the effective dates. The following Praxis II tests are before the Board for approval:

Praxis II 5169 Middle School Mathematics to have a passing score of 31 out of a possible 45 raw-score points, with a scaled score of 165 on a 100 – 200 scale

Praxis II 5161 Secondary Mathematics to have a passing score of 32 out of a possible 50 raw-score points, with a scaled score of 160 on a 100 – 200 scale

Praxis II 5047 Middle School English Language Arts to have a passing score of 81 out of a possible 120 raw-score points, with a scaled score of 164 on a 100 – 200 scale

Praxis II 5038 English Language Arts: Content Knowledge to have a passing score of 79 out of a possible 110 raw-score points, with a scaled score of 167 on a 100 – 200 scale

The motion was seconded by Mr. Hughes and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

1502 Professional Growth Salary Increments (For Discussion)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1502 Professional Growth Salary Supplements. The regulation concerns the requirements for educators to attain salary increments, pursuant to 14 Del.C. §1305(p). It is necessary to amend this regulation in order to insure equity in the issuance of salary increments for the successful completion of a Master's Specialist Certificate.

The regulation will be presented at the June State Board meeting for action.

At this time Dr. Gray stated that the Board would like to formally recognize Mr. Michels. She announced that he would be retiring June 1st and wanted to present him with the State Board's Order of Excellence. He was also presented with an SBE iPad portfolio cover and SBE backpack.

Mr. Michels also received the Secretary's Merit Award from Secretary Murphy.

Mr. Michels thanked the Board and Secretary Murphy for the recognition and reminded them to keep their eye on the prize: the students of our State.

Forgiveness of Days/Hours Missed Due to Just Cause or Unusual Circumstances (For Action)

Pursuant to Title 14, 1305 (h), the Secretary of Education is seeking the approval of the State Board of Education to reduce the number of required days/hours of school for the 2012-2013 school year. On Oct. 29 and 30 statewide, Governor Markell declared states of emergency due to severe weather on these days. Conditions in some areas also caused closure on Oct. 31. The Secretary recommended that the days/hours missed due to the states of emergency be forgiven for students and school employees.

A motion was made by Mr. Hughes to approve the Secretary's request to reduce the days/hours of school for the 2012-2013 school year due to severe weather on these days. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Appeals and Reviews

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education provided an update on the four current appeals the State Board has received.

Information Items

Dr. Gray noted the information items listed on the Board's agenda.

Adjournment

Ms. Johnson announced that the Board would be recessing to Legislative Hall at the conclusion of the meeting to testify on Senate Bill 51, legislation on teacher preparation. There being no further business, a motion was made by Mr. Hughes to adjourn the meeting. The motion was seconded by Dr. Whittaker and carried unanimously. The meeting adjourned at 4:03 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at: <http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>